

ORDINANCE

STATE OF LOUISIANA

NO: 9111

CITY OF MONROE

The following Ordinance was offered by Mr. Ausberry, who moved for its adoption and was seconded by Mr. Hollis.

AN ORDINANCE AMENDING CHAPTER 18.5 OF THE CODE OF ORDINANCES CITY OF MONROE, LOUISIANA, ENTITLED "HISTORICAL PRESERVATION", FURTHER PROVIDING WITH RESPECT THE

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WHEREAS, the City of Monroe desires to promote the educational, cultural, and economic welfare of the citizens of the City of Monroe by preserving and protecting historical structures and neighborhoods which serve as a visible reminder of the history and cultural heritage of the City, region, state and nation, and further desires to strengthen the economy of the City of Monroe by stabilizing and improving property values in historic areas;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Monroe, Louisiana in legal session convened, that Chapter 18.5 of the Code of Ordinances of the City of Monroe, Louisiana, entitled "Historical Preservation", be and is hereby amended to read as follows:

CHAPTER 18.5

HISTORICAL PRESERVATION

Art. I In General  
Art. II Commission

ARTICLE I. IN GENERAL

Sec. 18.5-1. Creation and delineation of historical districts.

The following described three (3) Historical Districts, to be known as "The Don Juan Filhiol Historical District," "The Henry Bry Historical District" and "The Louis Alexander DeBreard Historical District" are hereby created:

DON JUAN FILHIOL HISTORICAL DISTRICT. Beginning at the intersection of Telmaque Street and St. John Street; thence northwesterly along St. John Street to Oak Street; thence northeasterly along Oak Street to Catalpa Street; thence northwesterly along Catalpa Street to Wood Street; thence northeasterly along Wood Street to South 6th Street to Desiard Street, thence easterly along the Illinois Central Railroad Tracks to the intersection with the southwesterly extended centerline of Grammont Street; thence northeasterly along said extension and Grammont Street to South 12th Street; thence northwesterly along the east property line of the Congregation B'Nai Israel Cemetery to the north property line of the congregation B'Nai Israel Cemetery; thence southwesterly along said north property line of Manassas Street; thence northerly along Manassas Street to Desiard Street; thence northeasterly along Desiard Street to the west prong of Young's Bayou; thence southeasterly along Young's Bayou to Grammont Street; thence northeasterly along Grammont Street to South 20th Street; thence northwesterly along South 20th Street to Desiard Street; thence southwesterly

along Desiard Street to North 19th Street; thence northwesterly along North 19th Street to the intersection with a northeasterly extended centerline of Wallace Street; thence southwesterly along said extension and along Wallace Street to Missouri Pacific Railroad Tracks at North Congo Street; thence northwesterly along said railroad to Washington Street; thence southwesterly along Washington Street to the east property line of St. Matthews Catholic Cemetery; thence northwesterly along said property line of St. Matthews Catholic Cemetery to Breard Street; thence southwesterly along Breard Street to North 11th Street; thence southeasterly along North 11th Street to Washington Street; thence southwesterly along Washington Street to Walnut Street; thence northwesterly along Walnut Street to Arkansas Avenue; thence southwesterly along Arkansas Avenue and continuing along a projection to the centerline of the Quachita River; thence southeasterly along the centerline of the Quachita River to the intersection with a southwesterly extended centerline of Telmaque Street; thence northwesterly along said extension and Telmaque Street to St. John Street; containing 279 acres, more or less. The historical district designated above shall include all structures, houses, or other buildings facing any of the streets on the perimeter of the area.

HENRY BRY HISTORICAL DISTRICT. Beginning at the intersection of St. John Street and Bry Street; thence southeasterly along St. John Street to Mulberry Street; thence southwesterly along Mulberry Street and continuing along a projection to the centerline of the Quachita River; thence southeasterly along the centerline of the Quachita River to the intersection with a southwesterly extended centerline of Orange Drive; thence northeasterly along said extension and continuing along Orange Drive to the Missouri Pacific Railroad Tracks; thence northerly along said railroad to Holly Street; thence southwesterly along Holly Street to a point 200 feet of Jackson Street; thence northwesterly along a line measure 200 feet easterly and parallel to Jackson Street to Texas Avenue; thence southwesterly along Texas Avenue to Jackson Street; thence northwesterly along Jackson Street to Bry Street; thence southwesterly along Bry Street to St. John Street containing 74 acres, more or less. The historical district designated above shall include all structures, houses, or other buildings facing any of the streets on the perimeter of the area.

LOUIS ALEXANDER DE BREARD HISTORICAL DISTRICT. Beginning at the intersection of Bres Avenue and North 3rd Street; thence northwesterly along North 3rd Street to Stubbs Avenue; thence northeasterly along Stubbs Avenue to North 5th Street; thence northwesterly along North 5th Street to Hilton Street; thence northeasterly along Hilton Street to Floyd Martin Street; thence northwesterly along Floyd Martin Street to Forsythe Avenue; thence southwesterly along Forsythe Avenue to Sycamore Street through Forsythe Avenue to Park Avenue; thence northwesterly along Park Avenue to Maple; thence northwesterly along Maple Street to McKinley Street; thence southwesterly along McKinley Street and continuing along an extended centerline of McKinley Street to the centerline of the Quachita River; thence southeasterly along the centerline of the Quachita River to the intersection with a southwesterly extended centerline of Bres Avenue; thence northwesterly along said extended centerline and Bres Avenue to North 3rd Street; containing 367 acres, more or less. The historical district designated above shall include all structures, houses, or other buildings facing any of the streets on

the perimeter of the area.

Sec. 18.5-2. Submission of plans for exterior changes to Commission; certificate required.

(a) No private building, structure, or edifice, including fences, boundary walls, signs, light fixtures, steps, paving or other appurtenant fixtures shall be erected, altered, restored, moved, or demolished within any historical district until after application for a certificate of appropriateness as to the exterior architectural features has been submitted to and approved by the Commission.

(b) If earthworks of historical or archaeological importance exist in any historical district, there shall be no excavating or moving of earth, rock, or subsoil without a certificate of appropriateness from the Commission.

(c) The style, scale, material, size, and location of outdoor advertising signs and bill posters within historical districts shall be under the control of the Commission.

(d) The Commission shall not consider interior arrangement or use but shall consider the relationship of the exterior of the buildings, structures, and edifices concerned with all others in the district to avoid incongruity and promote harmony therewith.

(e) The Commission shall adhere to and seek compatibility of structures in the districts in terms of size, texture, scale, and site plan.

(f) Nothing in this chapter shall be construed to prevent ordinary maintenance or repairs which do not involve a change of design, material, or the outward appearance thereof, nor to prevent the construction, reconstruction, alteration, or demolition of any such feature which is required by the public safety because of unsafe or dangerous conditions. However, any such action must be brought before the Commission prior to initiating the action.

(g) Demolition which has been ordered by the Monroe City Council or by a court of competent jurisdiction shall not require the approval of nor the issuance of a certificate from the commission; however, the Commission shall receive prior reasonable notice of condemnation proceedings pending before the council.

(h) No review, approval, disapproval, or recommendation shall be made by the Commission until the Commission has adopted the rules, regulations, policies, procedures, and standards as set forth herein.

Sec. 18.5-3. Certificates of appropriateness.

(a) The owner and/or contractor, prior to initiating any works described in Sec. 18.5-2 (a), (b), or (c) shall submit an application for a certificate of appropriateness accompanied by reasonable plans and specifications of the work to the Commission in the manner set forth in Article II of this chapter.

(b) The Commission shall hear and pass upon any application, giving consideration to the factors set forth herein within thirty (30) days of the date it is received by the Commission. The Commission shall report, in writing, to the Building Inspector within ten (10) days of the hearing and consideration of the application, its recommendations on the permit application, including such changes or modifications as may be reasonably necessary to comply with the requirements of this chapter. The Commission shall attach the application and all documents therewith to its report and recommendation. Evidence of approval shall be in the form of a certificate of appropriateness. A copy of the report and recommendation shall be promptly sent to the applicant. Failure to respond within the ten (10) day period herein shall be deemed a recommendation of approval. The Commission shall keep a record of all applications for certificates of appropriateness

and of all its actions under this chapter.

(c) No building or demolition permit shall be issued by the Building Inspector which affects a site or structure in any historic district without a certificate of appropriateness, except as otherwise permitted by Sec. 18.5-2 (f) and (g).

#### Sec. 18.5-4. Same--Criteria.

(a) The criteria to be used by the Commission in making recommendations shall be as follows:

- (1) to the extent that it is economically feasible, efforts to provide compatible uses of buildings requiring minimal building, building site, or environmental alterations should be encouraged;
- (2) removal, destruction, or alteration of original characteristics or unique architectural features of a building should be discouraged;
- (3) in the rehabilitation of historic buildings, the use of material matching or compatible with those already used in the building as to composition, design, color, texture, and other visual qualities should be encouraged;
- (4) contemporary design in new construction and in alterations and additions should not be discouraged when such alterations and additions do not destroy significant historical, architectural, or cultural material;
- (5) demolition of a building of historical significance should be avoided if the Commission can demonstrate that it is economically feasible to preserve the building;
- (6) the provisions of this chapter shall apply to all private property in the districts established herein, including all buildings, structures, areas, sites, and their adjuncts and appurtenances, insofar as they constitute part of the entirely or "tout ensemble" of the historic district; and,
- (7) the provisions of this chapter shall not apply to buildings, structures, areas, sites, public ways, or property, including any adjuncts or appurtenances thereto, owned, under the custody of, or under the responsibility of any governmental agency of local, state, or federal government within the historic district. However, any such agency shall seek the advice of the Commission prior to initiating any substantial change, modification, renovation, restoration, construction, or demolition, except as provided in Sec. 18.5-2 (f) and (g).

#### Sec. 18.5-5. Same--Action thereon.

(a) if the Commission recommends approval of the application, and if such application and intended work shall conform to all other regulations, codes, ordinances, and laws of the City, the Building Inspector shall promptly issue a permit for such work and indicate on said permit the extent and nature of the work to be performed thereunder.

(b) If the Commission recommends disapproval of the application, the Building Inspector shall within five (5) days of receiving such disapproval, forward notice of the action along with the written report to the City Council, which shall give written notice to the applicant and to the Commission within ten (10) days of receipt of the report from the Building Inspector. The Council shall then consider and hear the matter in open session, giving the applicant, the Commission, and all interested parties an opportunity to be heard under the rules

established by the Council, and shall approve or disapprove the application. Said hearing shall be held not less than ten (10) days nor more than forty-five (45) days from the date notice of the hearing is given to the applicant.

(c) Any other person aggrieved by any decision of the Commission shall have the right to apply in writing to the Council for reversal or modification thereof. The Mayor or the Chairman of the Council shall have the right to stay all further action until the Council considers the decision. The Council shall give written notice within ten (10) days of receipt of the written application for reversal or modification. The Council shall then consider and hear the matter in open session, giving the applicant, the Commission, and all interested parties an opportunity to be heard under the rules established by the Council and approve or disapprove the application. Said hearing shall be held not less than ten (10) days nor more than forty-five (45) days from the date notice of the hearing is given to the applicant.

#### Sec. 18.5-6. Variances.

(a) Where, by reason of topographical conditions, irregularly shaped lots, or because of unique circumstances applicable solely to a particular applicant, strict enforcement of any criteria would result in serious undue hardship peculiarly affecting said applicant, the Commission may vary or modify adherence to this chapter, provided always that its requirements insure harmony with the general purposes hereof, and will not adversely affect an historic district as a whole or any designated landmark.

(b) The Commission shall also have the authority appear before and recommend to any governing agency, board, commission, or council any variance from any ordinance or regulation affecting requirements for renovation or restoration of any structure within the historic districts, when the requested variance meets the conditions set forth in Sec. 18.5-6. (a), and does not jeopardize the public safety.

#### Sec. 18.5-7. Appeals.

Any person aggrieved by any decision of the Council affecting any historic district shall have the right to appeal within thirty (30) days from the date of said decision in any court of competent jurisdiction under the usual rules of procedure governing same, with the right to stay orders and injunctive relief as provided under LSA-R.9.25:741 B.

#### Sec. 18.5-8. Stopping work commenced without a permit.

(a) The Building Inspector shall promptly stop any work subject to the provisions of this chapter which is not authorized by an approved permit therefor and shall promptly bring such matter to the Office of the City Attorney for appropriate legal action to enforce the provisions of this chapter.

(b) The Commission shall have the right to institute suit in any court of competent jurisdiction to prevent any unlawful violations of the provisions of this chapter or of any of the rules, regulations, or standards adopted in conformity with it.

#### Sec. 18.5-9. Penalties; continuing violations.

Anyone violating any provision of this chapter shall be subject to a fine of not less than TWENTY-FIVE AND NO/100 DOLLARS (\$25.00) nor more than ONE HUNDRED FIFTY AND NO/100 DOLLARS (\$150.00) for each violation. Each day that any such violation shall continue shall constitute a separate violation.

#### Sec. 18.5-10. Definitions.

"Exterior architectural features" shall include but not be limited to the color, composition, architectural style, general design, and

texture of the building material, and the type and style of all roofs, windows, doors, and light fixtures.

An "historic or historical building" is defined herein as a contributing element to the Federal Downtown Monroe Historic District in the "National Register of Historic Places Inventory-Nomination Form" for the district, a copy of which is on file in the City Clerk's office. The list of the City Council of the City of the National Register structures shall be designated without the owner's consent.

Sec. 18.5-11.---18.5-25. Reserved

## ARTICLE II

*Commission Membership*

Sec. 18.5-26. Established.

There is hereby created a Preservation Commission.

Heritage

Sec. 18.5-27. Purpose.

The purpose of the Commission is to promote the educational, cultural, economical, and general welfare of the public by the preservation of buildings, monuments, structures, sites and areas of historic interest or importance; to promote and improve property values; and to foster the economic development of the areas affected.

Sec. 18.5-28. Recommendation and appointment of members.

The Commission shall consist of nine (9) members to be appointed by the Mayor, subject to confirmation by the City Council, who shall be residents of the City of Monroe, with the following qualifications:

- (a) One (1) architect licensed by the state to be a member of an to be nominated by the Monroe Chapter of the American Institute of Architects;
- (b) One (1) owner of an historical building within the designated historical districts;
- (c) One (1) business owner in the historical districts to be a member of an nominated by the Monroe Downtown Development Authority;
- (d) Three (3) residents of the City of Monroe nominated by the Monroe Restoration Association, Inc.; and,
- (e) Three (3) residents of the City to be nominated by the City Council.

Sec. 18.5-29. Terms; vacancies; recall.

(a) The members of the Commission shall be appointed as follows:

- (1) Three (3) members for an initial term of two (2) years; three (3) members for an initial term of three (3) years; and three (3) members for an initial term of four (4) years. Whenever the term of any member expires, his successor shall be appointed for a four-year term. The members may serve consecutive terms.

(b) In the event that a vacancy occurs prior to the end of a member's term, a successor shall be appointed to serve the remainder of that term in the same manner as the original member was appointed.

(c) Any member may be recalled at any time by a majority vote of the Council for gross inefficiency, fraud, or neglect, after an open

hearing upon ten (10) days' notice specifying the complaint involved.

Sec. 18.5-30. Staff; committees.

(a) The Commission shall annually select a chairman from among its members by majority vote. The Chairman may appoint from among its members various committees with such powers and duties as the Commission may have and prescribe.

(b) The City Planner shall serve as the Executive Director of the Commission. He shall receive and date applications for permits; prepare, with the advice and consent of the Chairman, the agendas for the meetings for the commission; set and convene meetings of the Commission so that there is not a lapse of more than thirty (30) days between the submission of an application and its consideration by the Commission; serve as an advisor to the Commission; and forward the recommendations of the Commission to the Building Inspector.

(c) The Office of the City Attorney shall serve as ex officio attorney for the Commission.

(d) With the Mayor's approval, the Commission may select such other existing City employees to assist the Commission as may be necessary to carry out the purposes for which it was created and established.

Sec. 18.5-31. Additional authority of the Commission.

The Commission shall have the authority:

(a) To recommend any site, location, area, structure, building, or monument within the City to the Council as historic and worthy of preservation, whether within or outside of the confines of the historical districts;

(b) To recommend appropriate legislation for the preservation of any site, location, area, structure, building, or monument of historic importance and for the improvement of the historical districts;

(c) To make application, with the approval of the Council, for state and/or federal funds when appropriate;

(d) To apply for the historic designation of a site, location, area, structure, building, or monument with the consent of the owner(s) of said site, location, area, structure, building, or monument;

(e) To make periodic reports to the Council;

(f) To provide information to property owners and others involving preservation and promotion of the districts.

Sec. 18.5-31. Meetings; bylaws.

(a) The Commission shall meet as often as is necessary to carry out its duties, but not less than once each quarter. Special meetings shall be held upon the call of the Chairman of the Commission or of the Executive Director. Special meetings shall also be held upon the written request of at least two (2) members. The presence of five (5) members shall constitute a quorum.

(b) The Commission shall make such bylaws, rules, regulations, policies, procedures, and standards as it may deem necessary for the conduct of its affairs, not inconsistent with the laws of the City and of the State of Louisiana. All such bylaws, rules, regulations, policies, procedures, standards, and any amendments thereto shall be approved by the Council prior to becoming effective.

BE IT FURTHER ORDAINED that all Commission members previously appointed under the provisions of Ordinance No. 9003 of May 28, 1988,

shall remain members of the Commission for the terms to which they were originally appointed.

BE IT FURTHER ORDAINED that the provisions of this ordinance shall be effective upon publication.

BE IT FURTHER ORDAINED that the provisions of this Ordinance are severable in the event that any provision shall be declared invalid by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect.

This Ordinance as INTRODUCED on the 28th day of November, 1989.

NOTICE PUBLISHED on the 2nd day of December, 1989.

This Ordinance having been submitted in writing, introduced and published, was then submitted to a vote as a whole, the vote thereon being as follows:

AYES: Councilmen Hollis, Tarver, Ausberry, and Johnson

NAYS: None

ABSENT: Councilman Bordelon

And the Ordinance was declared ADOPTED on the 12th day of December, 1989.

-----Gene Tarver-----  
CHAIRMAN

-----Gennie Barnes-----  
CITY CLERK

-----Robert E. Powell-----  
MAYOR'S APPROVAL

-----MAYOR'S VETO-----



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AYES: Councilmen Hollis, Tarver, Ausberry, and Johnson

NAYS: None

ABSENT: Councilman Bordelon

And the Ordinance was declared ADOPTED on the 12th day of December, 1989.

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Gene Tarver  
CHAIRMAN

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Gennie Barnes  
CITY CLERK

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Robert E. Powell  
MAYOR'S APPROVAL

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MAYOR'S VETO

ORDINANCE

STATE OF LOUISIANA

CITY OF MONROE

NO. 9003

The following Ordinance was offered by Mr. B. Ballance  
who moved for its adoption and was seconded by Mr. Charles

AN ORDINANCE ESTABLISHING A MONROE HISTORICAL PRESERVATION COMMISSION, PROVIDING FOR RECOMMENDATION AND APPOINTMENT OF MEMBERS, TERMS, VACANCIES, EMPLOYEES AND COMMITTEES, BY-LAWS AND MEETINGS, PURPOSE, HISTORICAL DISTRICTS, COMMISSION'S RECOMMENDATIONS AND ACTIONS THEREON, FOR SUBMISSION OF QUESTIONS TO COUNCIL, APPEALS, PENALTIES FOR VIOLATIONS, INJUNCTIONS, ADDITIONAL AUTHORITY OF THE COMMISSION, EFFECTIVE DATE OF ORDINANCE, RENUMBERING OF SECTIONS OF ORDINANCE, REPEALING ALL ORDINANCES IN CONFLICT HERewith, SAVINGS CLAUSE.

WHEREAS, the City Council desires to promote the educational, cultural and economic welfare of the citizens of the City of Monroe by preserving and protecting historic structures and neighborhoods which serve as visible reminders of the history and cultural heritage of the city, region, state and nation, and furthermore, desires to strengthen the economy of the City by stabilizing and improving property values in historic areas.

NOW THEREFORE, BE IT ORDAINED by the City Council of Monroe, in legal session convened, as follows:

SECTION 1. Commission Established

There is hereby created the Monroe Historical Preservation Commission. \*2

SECTION 2. Recommendation and Appointment of Members

The Commission shall consist of seven members to be appointed by the Mayor subject to confirmation by the City Council with the following qualifications:

- (a.) One (1) architect <sup>Doug B</sup> licensed by the State of Louisiana, to be members of and to be nominated by the Monroe Chapter of the American Institute of Architects, <sup>Parsons</sup>
- (b.) One (1) owner of an historic building within the Historic Districts. An historic building is defined as a contributing element to the Federal Downtown Monroe Historic District in the "National Register of Historic Places Inventory-Nomination Form" for said District, a copy of which is attached as Exhibit A, or a building otherwise listed on the National Register of Historic Places. No additional structures shall be designated as historic buildings without the owner's consent. Bueler
- (c.) One (1) business owner in the Historic Districts to be nominated by and to be a member of the Downtown Development Authority;

130995

(d.) One (1) property owner in the Historic Districts to be a member of and to be nominated by the Monroe Restoration Association, Inc.; and

*Monroe  
Jackson  
Renaissance*

Three (3) residents of the city to be nominated by the City Council.

#### SECTION 3. Terms; Vacancies

The members of the Commission shall be appointed as follows:

Two (2) members shall be appointed for an initial term of two (2) years, two (2) members for an initial term of three (3) years, and three (3) members for an initial term of four (4) years. Whenever the term of a member expires, the City Council shall appoint his successor for a four year term. The members may serve consecutive terms.

#### SECTION 4. Employees and Committees

The Commission shall select a chairman from among its members by majority vote. The City Planner shall serve as the Executive Director for the Commission. He shall receive the applications for permits; prepare, with the Chairman, agendas for the meetings; convene the Commission so that there is not a lapse of more than 30 days between the submission of an application and its consideration at a Commission meeting; serve as an advisor to the Commission; and forward the Commission's recommendations on approval of permits to the Building Inspector. The City Attorney shall be the ex-officio attorney for the Commission. The Commission may select such other existing City employees, with the Mayor's approval, as may be necessary to carry out the purposes for which it is created. The Commission may appoint, from among its members, various committees with such powers and duties as the Commission may have and prescribe.

Nothing stated in this Ordinance shall be construed to prohibit the Commission from employing additional consultants to carry out its work.

#### SECTION 5. By Laws and Meetings

The Commission shall make such by laws as it may deem

*last  
month  
before*

necessary for the conduct of its affairs, not inconsistent with the laws of the City and State. The presence of five (5) members of the Commission at a meeting shall constitute a quorum. The Commission shall meet at least quarterly. Special meetings shall be held at any time on the written request of any one of the seven (7) members or on the call of the Chairman of the Commission or of the Executive Director.

#### SECTION 6. Purpose

The purpose of the Commission shall be to promote the educational, cultural, economic and general welfare of the public by the preservation of buildings, monuments, structures, sites, and areas of historic interest or importance; to promote and improve property values, and to foster the economic development of the areas affected.

#### SECTION 7. Creation and Delineation of Historical Districts of the City of Monroe

The following described three (3) Historical Districts, to be known as "The Don Juan Filhiol Historical District", "The Henry Bry Historical District", and "The Louis Alexander de Breard Historical District", are hereby created:

##### 1. Don Juan Filhiol Historical District

Beginning at the intersection of Telmaque Street and Saint John Street; thence northwesterly along Saint John Street to Oak Street; thence northeasterly along Oak Street to Catalpa Street; thence northwesterly along Catalpa Street to Wood Street; thence northeasterly along Wood Street to South 6th Street to Desiard Street, thence easterly along the Illinois Central Railroad Tracts to the intersection with a southwesterly extended centerline of Grammont Street; thence northeasterly along said extension and Grammont Street to South 12th Street; thence northwesterly along the east property line of the Congregation B'Nan Israel Cemetery to the north property line of the Congregation B'Nan Israel Cemetery; thence southwesterly along said north property line to Manassas Street; thence northerly along Manassas Street to Desiard Street; thence northeasterly along Desiard Street to the west prong of Youngs Bayou; thence southeasterly along Youngs Bayou to Grammont Street; thence northeasterly along Grammont Street to South 20th Street; thence northwesterly along South 20th Street to Desiard Street; thence southwesterly along Desiard Street to North 19th Street; thence northwesterly along North 19th Street to the intersection with a northeasterly extended centerline of Wallace Street; thence southwesterly along said extension and along Wallace Street to Missouri Pacific Railroad Tracks

at North Congo Street; thence northwesterly along said railroad to Washington Street; thence southwesterly along Washington Street to the east property line of Saint Matthews Catholic Cemetery; thence northwesterly along said east property line of Saint Matthews Catholic Cemetery to Breard Street; thence southwesterly along Breard Street to North 11th Street; thence southeasterly along North 11th Street to Washington Street; thence southwesterly along Washington Street to Walnut Street; thence northwesterly along Walnut Street to Arkansas Avenue; thence southwesterly along Arkansas Avenue and continuing along a projection to the centerline of the Ouachita River; thence southeasterly along the centerline of the Ouachita River to the intersection with a southwesterly extended centerline of Telmaque Street; thence northeasterly along said extension and Telmaque Street to Saint John Street; containing 279 acres, more or less. The Historical District above designated shall include all structures, houses or other buildings facing any of the streets on the perimeter of the area.

## 2. Henry Bry Historical District

Beginning at the intersection of Saint John Street and Bry Street; thence southeasterly along Saint John Street to Mulberry Street; thence southwesterly along Mulberry Street and continuing along a projection to the centerline of the Ouachita River; thence southeasterly along the centerline of the Ouachita River to the intersection with a southwesterly extended centerline of Orange Drive; thence northeasterly along said extension and continuing along Orange Drive to the Missouri Pacific Railroad tracts; thence northerly along said railroad to Holly Street; thence southwesterly along Holly Street to a point 200 feet east of Jackson Street; thence; northwesterly along a line measured 200 feet easterly and parallel to Jackson Street to Texas Avenue; thence southwesterly along Texas Avenue to Jackson Street; thence northwesterly along Jackson Street to Bry Street; thence southwesterly along Bry Street to Saint John Street; containing 74 acres, more or less. The Historical District above designated shall include all structures, houses or other buildings facing any of the streets on the perimeter of the area.

## 3. Louis Alexander de Breard Historical District

Beginning at the intersection of Bres Avenue and North 3rd Street; thence northwesterly along North 3rd Street to Stubbs Avenue; thence northeasterly along Stubbs Avenue to North 5th Street; thence northwesterly along North 5th Street to Milton Street; thence northeasterly along Milton Street to Floyd Martin Street; thence northwesterly along Floyd Martin Street to Forsythe Avenue; thence southwesterly along Forsythe Avenue to Sycamore Street through Forsythe Avenue to Park Avenue; thence northeasterly along Park Avenue to Maple; thence northwesterly along Maple Street to McKinley Street; thence southwesterly along McKinley Street and continuing along an extended centerline of McKinley Street to the centerline of the Ouachita River; thence southeasterly along the centerline of the

Ouachita River to the intersection with a southwest Y extended centerline of 1st Avenue; thence northeasterly along said extended centerline and Bres Avenue to North 3rd Street; containing 367 acres, more or less. The Historical District above designated shall include all structures, houses or other buildings facing any of the streets on the perimeter of the area.

#### SECTION 8. Submission of Plans for Exterior Changes to Commission.

Before the commencement of any work in the erection of any new building, or in the structural alteration, addition to, or demolition of any existing building, any portion of which new building, alteration, or addition is to front on any public street in any Historical District in the City of Monroe, application by the owner for a permit therefore shall be made to the Commission, accompanied by reasonable plans and specifications. No such work shall be initiated without a permit.

#### SECTION 9. Commission Recommendations

The Commission shall report within ten days of the date of application its recommendation on approval of the permit, including such changes as may be reasonably necessary to comply with the requirements of this Ordinance, by sending them, in writing, to the Building Inspector with the application and documents referred to in this Ordinance. A copy of the recommendation shall also be sent promptly to the applicant. Failure to respond within ten days shall be deemed a recommendation of approval.

#### SECTION 10. Criteria for Commission's Recommendations

The criteria to be used by the Commission in making recommendations are as follows:

- (A) To the extent that it is economically feasible, efforts to provide compatible uses for buildings requiring minimal building, building site, and environmental alteration should be encouraged.
- (B) Removal, destruction, or alteration of original characteristics or unique architectural features of buildings should be discouraged.
- (C) In the rehabilitation of historic buildings, use of materials matching or compatible with those already used in the building as to composition, design, color, texture, and other visual qualities should be encouraged.
- (D) Contemporary design in new construction, and in alterations and additions to existing buildings should not be discouraged when such alterations and additions do not destroy significant historical, architectural, or cultural material.

(E) Demolition of an historic building, as defined in Section 2 (b), should be avoided if the Commission can demonstrate that the building is capable of earning a substantial economic return on its value. Any other building may be demolished at the owner's discretion unless it is shown to be architecturally and historically significant by expert witnesses such as licensed architects and state historic preservation officers and, in that event, the foregoing standard applicable to the demolition of an historic building shall apply.

(F) In all cases under this ordinance wherein the Commission has made any recommendation other than one of unconditional approval of the plans and specifications as submitted by applicant, the Commission shall bear the burden of proving:

(1) That any changes recommended in plans and specifications are economically feasible and will result in no undue expense or hardship to applicant for which reasonable financial compensation can not be demonstrated;

(2) That its recommendation will result in a greater economic return to applicant than that reasonably projected by applicant for his proposed new construction, alteration, addition or demolition.

Private residential remodeling, additions, alterations and improvements shall not be subject to this ordinance.

#### SECTION 11. Variances

Where, by reason of topographical conditions, irregularly shaped lots, or because of unusual circumstances applicable solely to the particular applicant, strict enforcement of any criteria would result in serious undue hardship peculiarly affecting said applicant, then the Commission shall vary or modify adherence to this Chapter.

#### SECTION 12. Action On Commission's Recommendations

If the Commission recommend approval of the application, this Ordinance, and if such application and intended work shall conform also to all other regulations, ordinances and laws of the City, the Building Inspector shall promptly issue a permit for such work and indicate on such permit the extent and nature of the work to be performed thereunder. [ If the Commission shall recommend disapproval of any application, the Building Inspector shall, within five (5) days of any such action, forward notice of such action and his written report to the City Council, which, after notice and an opportunity to the applicant, the Commission and other protesting parties to be heard, shall either approve or disapprove the application. ]

### SECTION 13. Appeals

Any person aggrieved by any decision of the City Council shall have the right to file a civil suit within thirty days from the date of decision in a court of competent jurisdiction under the rules of procedure governing same, with the rights to a stay order and injunctive relief provided the situation warrants them. Such aggrieved person shall have the right to recover damages and reasonable attorney's fees should be prevail in such civil action.

### SECTION 14. General Penalty; Continuing Violations

Anyone violating any provision of this Ordinance shall be fined for each offense not less than \$25.00 nor more than \$150.00. Each day that any violation of this Ordinance continues shall constitute a separate offense.

### SECTION 15. Injunctions

Whenever any person has engaged in or is about to engage in any act or practice which constitutes or will constitute a violation of this Ordinance, the Building Inspector may make application to the appropriate court for an order to enjoin such act or practice or to remedy such violation by restoring the affected property to its previous condition.

### SECTION 16. Stopping Work Commenced Without Permit

The Building Inspector shall promptly stop any work subject to this Ordinance which is not authorized by a permit, and shall promptly report any person responsible for violation of this Ordinance to the City Prosecuting Attorney for prosecution.

### SECTION 17. Additional Authority of Commission

The Commission shall have authority:

- (1) To recommend any site, location, structure or monument within the City to the City Council as historic and worthy of preservation, whether within or outside of the confines of the Historic Districts.
- (2) To recommend appropriate legislation for the preservation of any site, location, structure, or monument of historic importance, and for the improvement of the Historic Districts.



(3) To make application, with the approval of the City Council, for state or federal funds when appropriate.

(4) No site, location, structure or monument shall be designated as historic without the owner's consent.

BE IT FURTHER ORDAINED that this Ordinance shall go into effect after publication in accordance with law.

BE IT FURTHER ORDAINED that it is the intention of the City Council and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances, City of Monroe, Louisiana and the sections of this Ordinance may be numbered to accomplish such intention.

BE IT FURTHER ORDAINED that all ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

BE IT FURTHER ORDAINED that nothing herein shall detract from the authority of the Planning and Zoning Commission as established by city ordinance under state law.

BE IT FURTHER ORDAINED that if any part of this Ordinance is found to be unconstitutional by final judgment of Court, that part shall be deemed severable and the invalidity shall be limited to that particular part and shall not affect the remaining portions of this Ordinance which shall remain enforceable.

This Ordinance was INTRODUCED on the 10<sup>th</sup> day of May, 1988.

NOTICE PUBLISHED on the 16<sup>th</sup> day of May, 1988.

This Ordinance having been submitted in writing, introduced and published, was then submitted to a vote as a whole, the vote thereon being as follows:

AYES:

*Councilman Harris, Councilman Bolder & Councilman Johnson*

NAYS:

*None*

ABSENT:

*Councilman Moore*

And the Ordinance was declared ADOPTED on the 24<sup>th</sup> day of

May, 1988.

*Dennis B. Smith*  
CITY CLERK

*Richard H. Smith*  
MAYOR'S APPROVAL

*Joe T. Laver*  
CHAIRMAN

DELIVERED TO Mayor  
DATE 5-28-88  
TIME 11:30 AM  
CITY CLERK [Signature]

RECEIVED From Mayor  
DATE 5-28-88  
TIME 1:20 PM  
[Signature]

MAYOR'S VETO